



UPDATED A G E N D A
OCONEE COUNTY COUNCIL MEETING
May 21, 2024
6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Call to Order

Moment of Silence

Invocation

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

May 7, 2024 Regular Meeting Minutes

County Attorney Comments

County Administrator Comments

Public Comment Session

[Limited to a total of fifty (50) minutes, five (5) minutes per person]

If you are not able to attend in person and you have a comment, you may submit it by emailing jennifercadams@oconeesc.com or calling 864-718-1023, so that your comment may be read it into the record.

Council Member Comments

Public Hearing for the Following Ordinances *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation by may be coordinated.*

ORDINANCE 2024-13 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT, BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND CLARIOS, LLC (FORMERLY IDENTIFIED AS PROJECT CHERRY), A COMPANY ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY “COMPANY”); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

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ORDINANCE 2024-14 AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO.

ORDINANCE 2024-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE COMMUNITY HEALTH AND COMMUNITY SERVICES SPECIAL REVENUE FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, FOR THE GENERAL ONE TIME CAPITAL FUND, AND FOR THE DEBT SERVICE FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.**

ORDINANCE 2024-02 AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

ORDINANCE 2024-03 AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

Third Reading of the Following Ordinances

ORDINANCE 2024-13 *[see caption above]*

ORDINANCE 2024-14 *[see caption above]*

Second Reading of the Following Ordinances

ORDINANCE 2024-01 AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE COMMUNITY HEALTH AND COMMUNITY SERVICES SPECIAL REVENUE FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE BRIDGE AND CULVERT

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CAPITAL PROJECT FUND, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, FOR THE GENERAL ONE TIME CAPITAL FUND, AND FOR THE DEBT SERVICE FUND, ALL IN OCONEE COUNTY FOR THE **FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.**

ORDINANCE 2024-02 AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

ORDINANCE 2024-03 AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

ORDINANCE 2024-17 AN ORDINANCE TO REZONE A SERIES OF PARCELS, SPECIFIED HEREIN, FROM THE CONTROL FREE DISTRICT TO THE LAKE RESIDENTIAL DISTRICT (TWENTY-THREE (23) PARCELS, KEOWEE PLANTATION), PURSUANT TO OCONEE COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE 8.

First Reading of the Following Ordinances

ORDINANCE 2024-16 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT, BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND A COMPANY CURRENTLY IDENTIFIED AS PROJECT TURN, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT COMPANIES (COLLECTIVELY “COMPANY”); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF SUCH PARK; AND OTHER RELATED MATTERS.

ORDINANCE 2024-18 AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF MINIMUM LOT SIZE AND MAXIMUM LOT DENSITY PROVISIONS FOR THE CONTROL FREE DISTRICT; AND OTHER MATTERS RELATED THERETO.

First & Final Reading for the Following Resolutions

RESOLUTION 2024-11 A RESOLUTION PROVIDING PRELIMINARY APPROVAL PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, FOR THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT TURN, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES, AND OTHER PROJECT

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COMPANIES (COLLECTIVELY, “COMPANY”); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING OR MODIFYING A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK AGREEMENT BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO ESTABLISH OR ENLARGE THE PARK; AND OTHER RELATED MATTERS.

RESOLUTION 2024-12 A RESOLUTION REQUESTING AND DIRECTING THAT THE OCONEE COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION HOLD THE ELECTION REGARDING THE CREATION OF THE CORINTH-SHILOH SPECIAL PURPOSE TAX DISTRICT FOR FIRE PROTECTION ON THE SAME DAY AS THE 2024 GENERAL ELECTION; AND OTHER RELATED MATTERS.

Discussion Regarding Action Item

Council consideration of approval of conservation easement funding from the Oconee County Conservation Bank in the amount of \$35,000.00 for the Fall Creek Headwaters property.

Applicant’s Name: Upstate Forever **Recommended Award:** \$35,000.00
Parcel Name: Fall Creek Headwaters **Acres:** 108.25
Location: 286 Red Mountain Rd., Mountain Rest, SC 29664
Tax Map(s): 102-00-01-013 / 102-00-01-005 / 102-00-01-029

***Funding is provided by Oconee County Conservation Bank; no County funds are used for this request. ***

Oconee County Conservation Bank Board recommends approval of support and funding of a grant request of \$35,000.00 by Council for a conservation easement on Fall Creek Headwaters.

**PRT Commission State and Local ATAX Recommendations for FY 2025
Amount: \$1,077,196**

These requests were unanimously approved by the PRT Commission on 05/2/24.

PRT Commission and PRT staff recommends \$589,959 from Local ATAX for the FY25 Local ATAX Supplemental budget (attached) for routine expenditures eligible to offset general fund expenditures. Grant cycles and project specific funds will continue to be recommended at the quarterly meetings.

PRT Commission and PRT staff recommends \$332,237 from the 65% State ATAX Fund and an estimated \$155,000 from the 30% ATAX Fund for a total of \$487,237 for the FY25 Visit Oconee SC Budget. The 65% Funds are utilized for salaries to operate the Visit Oconee office and are reimbursed to the County quarterly to offset the general fund. The 30% Funds, by state law, are specifically for tourism advertising and promotion, distributed quarterly and are market dependent.

Local ATAX balance including encumbrances as of 5.1.24 = \$573,325.23

Local ATAX FY25 Revenue projection is \$1,040,000.00

65% State ATAX balance as of 5.1.24 = \$479,661.00

65% State ATAX FY24 Revenue projection = \$350,000.00

It is the staff’s recommendation that Council approve the ATAX recommendations from the PRT Commission.

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Title: Purchase of Gravix Block

Department: Rock Quarry

Amount: \$168,888.00

Contingency (10%): \$16,888.80

Total Award: \$185,776.80

**\$55,000.00 of the Procurement was included in the 2023-2024 Budget process.
\$130,776.80 of Procurement has been requested in the FY 24-25 budget process.**

This request is for the purchase of Gravix block for the Rock Quarry. These materials are needed to construct the headwall for the new Vertical Hopper that was approved at the March 19, 2024 County Council Meeting. The headwall will be 30' high and must be able to carry extreme loads due to the loaded haul trucks that will back to the edge of the wall to dump material into the vertical hopper. In normal applications, a headwall would either consist of a concrete structure that would be poured in place or by using retaining wall blocks that tie back into the earth using geofabric. This type of application would ultimately cost more and does not allow for moving the wall in the future. The Gravix block removes the need for the geofabric and will allow for the wall to be dismantled and reinstalled at a future location within the Rock Quarry. The Gravix system includes all necessary engineering and technical support, and will allow Quarry staff to construct and install the headwall without the use of outside contractors providing a significant cost savings for the county. Earth Wall Products is the sole proprietor of the Gravix wall system and the materials / product can only be purchase through their company.

This proposal includes PE Stamped Design including wall drawings for construction, Internal Stability Design of the walls and Precast concrete conforming to DOT specifications.

Rock Quarry staff has reviewed other prefabricated wall systems and have found the Earth Wall Products Gravis retaining wall system best meets their need.

This purchase is a Sole Source purchase.

Staff is requesting a 10% contingency to cover any unforeseen items that may arise. The number of blocks is estimated and could be more or less once construction has been completed.

This purchase will cross over two fiscal years. A portion of the funding is in FY 23-24 approved budget and the remaining funding has been included in the FY 24-25 requested budget.

FY 23-24 \$55,000.00

FY 24-25 \$130,776.80 – Pending Approval of FY 24-25 Budget

Earth Wall Products, LLC. Of Smyrna, GA is the sole proprietor of the Gravix wall system.

It is the staff's recommendation that Council;

- 1. Approve the purchase of a Gravix Wall System Materials to Earth Wall Products of Smyrna, GA, in the amount of \$168,888.00, plus a 10% contingency in the amount of \$16,888.80, for a total award of \$185,776.80. Contingent on the approval of the FY 24-25 Budget.***
- 2. Authorize the County Administrator to execute the General Terms and Conditions in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase.***
- 3. Authorize the County Administrator to approve any change orders within the contingency amount.***
- 4. Authorize the County Administrator to transfer funds to the appropriate line item(s).***

Council Committee Reports

Budget, Finance and Administration Committee / Mr. Elliott May 7, 2024

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Board & Commission Appointments

The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2023] appointment and/or reappointment as follows:

Conservation Bank Board

1 At-Large seat: No questionnaires on file for this seat.

Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]

- 1. Receive legal advice and discuss litigation in relation to pending code enforcement cases.*
- 2. Receive legal advice and discuss potential property acquisition related to Emergency Services.*
- 3. Discussion regarding an Economic Development matter, Project Ship.*

Adjourn

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